

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-1591

United States of America,

Appellee,

v.

Phillip Anthony Keys, also known
as Phillip Keys, also known as
Anthony Weaver, also known as
Tony Weaver, also known as Tony
Keys, also known as Tony Keyes,

Appellant.

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Appeal from the United States
District Court for the District
of Nebraska.

[UNPUBLISHED]

Submitted: August 6, 2001

Filed: August 13, 2001

Before McMILLIAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Phillip Anthony Keys appeals the sentence the district court imposed following Keys's guilty plea to a drug-conspiracy charge. Counsel has moved to withdraw and filed a brief under Anders v. California, 386 U.S. 738 (1967). In his brief, counsel notes Keys received a reduction in his sentence for substantially assisting the government, but argues the government should have allowed Keys more time to

cooperate so Keys could receive an even greater reduction in his sentence. As far as Keys's reduced sentence is concerned, the extent of the reduction is unreviewable. See United States v. Coppedge, 135 F.3d 598, 599 (8th Cir. 1998) (per curiam). Nevertheless, the plea agreement appears to permit Keys to continue to assist the government and to permit the government to file additional Rule 35(b) motions on his behalf. Finally, having reviewed the record independently in accordance with Penson v. Ohio, 488 U.S. 75 (1988), and finding no other nonfrivolous issues, we affirm the district court and grant counsel's motion to withdraw.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.